

EXHIBIT 10

Villajuan, Emily

From: Beidel, Jennifer
Sent: Thursday, October 9, 2025 3:27 PM
To: Tyler, Andrew (CRM); Sridharan, Vasanth (CRM); Pathan, Kashan (CRM)
Cc: Chukow, Mark; Caprez, Timothy; Blackwood, Emma K.F.; Douglas, Sarah
Subject: Wang - Brady Issue
Attachments: USDOJ9B-0000000025.pdf

Importance: High

Andrew, Vas, and Kashan:

We are in receipt of your Production 9B, dated October 7, 2025. Among the 161 documents contained in that production is the attached exculpatory May 30, 2025 letter from CUNY to NIH's ORI (the "*Brady Letter*") that says, among other things, that CUNY "did not find that Dr. Wang's actions constituted acts of intentional, knowing, or reckless falsification and/or fabrication" and "the [CUNY Research Misconduct Investigation] Committee concluded that Dr. Wang had not engaged in research misconduct as defined by CUNY policy." USDOJ9B-0000000025, at 2. What's more, the CUNY Committee "made this determination based on its understanding of the preponderance of evidence standard[]," *Id.* at 2, which, of course, is a much lower evidentiary standard than the government must meet in its criminal prosecution of Dr. Wang. The University "accepted the Committee's findings and determined that research misconduct did not occur" and took no action against Dr. Wang. *Id.* at 17. This letter is not flagged as *Brady* within your Production 9B or otherwise called out to us as *Brady*, let alone potentially case-altering *Brady*, but was instead produced just like the other approximately 450,000 records you have provided to us in this case.

Fortunately, our defense team located and identified this document for what it is—an extraordinary piece of exculpatory evidence and likely the most important revelation in the government's terabytes of discovery in this case. The defense is astonished that we have never been previously informed – by your office, the FBI, ORI, CUNY, or otherwise – that CUNY had issued a final investigative report, let alone that such report's conclusions were favorable to Dr. Wang. We write to inquire as to why such critical exculpatory evidence was withheld from the defense team until after the Daubert hearing and less than two weeks before trial when (1) such evidence was in ORI's possession since May 30, 2025, and (2) metadata and the CUNY Bates stamp on the *Brady* letter suggest CUNY produced it to your office on or about August 5, 2025.

The *Brady* letter also falls squarely within several discovery requests we made over a year ago on August 27, 2024, specifically, those for (1) NIH files; (2) *Brady* materials and (3) the results of any scientific tests or experiments. On September 23, 2024, you acknowledged your obligation to produce *Brady* materials and represented that all scientific analyses of evidence in the case "have already been produced." Moreover, discovery in this matter shows that the issue of ORI's role in this case has been on your radar for years. For example, Mr. Tyler contacted ORI at least as far back as April 2023, to inquire about Dr. Brookes' analyses of Dr. Wang's work, and documents you produced in discovery show you were aware that CUNY and ORI were working collaboratively on a scientific investigation of Dr. Wang as far back as 2021. The issue of ORI's importance was again brought squarely to your attention at the September 30, 2025 Daubert hearing, when the Judge inquired as to ORI's position on the matter and we requested all relevant ORI materials. And yet, you still withheld the *Brady* letter for an additional week.

In response to this egregious discovery lapse, we request:

- (1) Immediate production of:

- a. all correspondence between (i) ORI, the FBI, your office, and/or any other member of the prosecution team and (ii) CUNY, members of its Research Misconduct Committee, or any other person or entity discussing CUNY's investigation or reports;
- b. all communications and correspondence between (i) ORI and (ii) the FBI, your office, and/or any other member of the prosecution team, regarding this matter;
- c. all communications and correspondence between (i) the FBI, your office, and/or any other member of the prosecution team and (ii) any other person or entity that discusses CUNY's investigative report;
- d. all reports referenced in the *Brady* letter, including but not limited to the March 25, 2025 Foley Hoag report and the May 26, 2023 CUNY Research Misconduct Committee Final Investigation Report and Final Report Addendum;
- e. ORI's complete file regarding this matter, including but limited to discussions of Dr. Wang, Dr. Brookes, Cassava Sciences, and CUNY; and
- f. any records regarding your decision to withhold this critical piece of evidence until the eve of trial.

(2) Immediate responses to:

- a. when your office first learned of and received the *Brady* letter and the May 2023 CUNY Committee Report; and
- b. whether your office has requested a complete file from ORI regarding the Dr. Wang matter and, if so, when it received it.

(3) Your position as to whether you intend to proceed forward with a prosecution based nearly entirely on Dr. Brookes' opinion of Dr. Wang's images taken during a search warrant when CUNY and its specially empaneled Research Misconduct Committee of experts (who had access to far more information about Dr. Wang's research than the government has ever attempted to obtain), cleared Dr. Wang of all misconduct and Dr. Brookes admitted at the Daubert hearing that he had not spoken with anyone at CUNY about the matter.

Given the limited time before trial, please respond with your position on this request by **tomorrow, October 10, 2025**. If we do not receive a satisfactory response, we intend to elevate this matter up your supervisory chain, to file a motion raising this issue of prosecutorial misconduct with the Judge, and to file a motion for leave to supplement the Daubert record and/or to reopen our examination of Dr. Brookes with the exculpatory material that was withheld from the defense.

Best,
Jennifer



Lynda Mules, MLA, CIP

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Confidential

May 30, 2025

Thomas Baird, Ph.D., Scientist-Investigator
Division of Investigative Oversight
Office of the Assistant Secretary for Health
Office of Research Integrity (ORI)
U.S. Department of Health and Human Services (HHS)
1101 Wooton Parkway, Suite 240
Rockville, MD, 20852

Re: DIO 7470 The City University of New York Matter.

Dear Dr. Baird:

The City University of New York (the “University” or “CUNY”) submits this letter to provide an update and final conclusions on its investigation into allegations of research misconduct against Hau-Yan Wang, Ph.D., Associate Medical Professor, CUNY School of Medicine (the “Research Misconduct Investigation”).

As previously noted in prior communications with your office, the University engaged the law firm of Foley Hoag, LLP (“Foley Hoag”) to conduct an internal investigation into whether there was an unauthorized disclosure of draft and final reports related to the Research Misconduct Investigation, and to evaluate the applicable policies, processes, and procedures used during that investigation.

On March 25, 2025, the University informed you that Foley Hoag shared a confidential and privileged report with the Board of Trustees of the University and that, following further review of the report, the University would deliberate and determine what actions should be taken. Since that time, the University has completed this review and provides this substantive update and final conclusions in response to and addressing your letter dated February 2, 2024, along with a description of the steps it is taking to improve its research misconduct investigation process in the future.

In addition, an important update to communicate is that Dr. Wang has announced his retirement from the University effective July 2025. As a result, he will no longer conduct research at CUNY.

Unauthorized Disclosure of the Committee's Final Investigation Report and Addendum dated May 26, 2023

As you know, on October 12, 2023, *Science* magazine published a story discussing the research misconduct investigation conducted by the University into the allegations concerning Dr. Wang. The story was accompanied by the publication of a copy of the Final Investigation Report and Final Report Addendum dated May 26, 2023 (the "Final Report") issued by the Research Misconduct Investigation committee (the "Committee"). At that time, the University engaged Foley Hoag to investigate whether any individual at CUNY was the source of the report, and it has communicated with your office throughout this process. After a thorough review, the University has concluded that the unauthorized disclosure of the Final Report did not come from any of its employees, let alone a member of the Committee investigating Dr. Wang. The University has further concluded that the disclosure did not compromise the integrity of the Committee's investigation or the content of its Final Report. Because of this, the University believes that although there were issues with the findings of the Committee, which are described below, the investigation of Dr. Wang was undertaken in good faith, and the University bases its final conclusions on the Committee's findings.

University's Concern Regarding Application of the Standard of Evidence

The Committee investigating Dr. Wang's alleged research misconduct concluded in its Final Report that the lack of preservation of research records represented a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constituted acts of intentional, knowing, or reckless falsification and/or fabrication. Because of this, the Committee concluded that Dr. Wang had not engaged in research misconduct as defined by CUNY policy.

After an extensive review, the University has concluded that the Committee may have misunderstood the relevant evidentiary standard in reaching its determination. The Committee seemed to believe that definitive evidentiary proof of fabrication or falsification was required for a finding of research misconduct. In reviewing the Committee's findings, the University is concerned that the Committee may have applied a heightened evidentiary standard that exceeds the preponderance of the evidence standard.

To address this issue in the future, the University will provide more robust guidance and training on the evidentiary standard, as it applies to research misconduct, as well as any other questions related to the weighing of evidence in making a final determination regarding misconduct. CUNY believes that these changes will address any confusion by committee members in the future. However, while the Committee may have applied a heightened standard of evidence, the Committee's work concluded in May 2023, and the University does not believe that it should disturb or reevaluate those findings now. The University also believes that the investigation was undertaken in good faith and was not compromised by any unauthorized disclosures. Therefore, for each of the allegations of research misconduct, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report, acknowledging that the Committee may have applied a heightened evidentiary standard.

Additional Policy Changes

The University has taken a number of steps to address issues with the Committee's investigation of Dr. Wang. In addition to providing more robust guidance and training on the evidentiary standard, as it applies to research misconduct, as well as any other questions related to the weighing of evidence in making a final determination regarding misconduct, these steps include the development of templates for inquiry and investigation reports and related communications, training and charge documents for investigation committees, and standard operating procedures. Staff in the University's Office of Research are now members of and engage with the Association of Research Integrity Officers ("ARIO"). The University is also in the process of revising the Policy Regarding the Disposition of Allegations of Research Misconduct to reflect regulatory changes that will go into effect on January 1, 2026, and to identify other areas for improvement.

Responses to Questions Posed in ORI's February 2, 2024, Letter

1. From ORI letter dated February 2, 2024: Provide CUNY's explanation on the unresponsiveness and delay of CUNY and the City College of New York ("CCNY") to the investigation committee's requests for access to image files sequestered from Dr. Wang's office and laboratory computers. As required by § 93.307(b) and § 93.310(d), CCNY and CUNY should have taken all reasonable and practical steps to obtain custody of all of the research records and evidence needed to conduct the research misconduct proceeding during the investigation, inventory the records and evidence, and sequester them in a secure manner.

The University charged the Committee to investigate the allegations of research misconduct against Dr. Wang. The University acknowledges that there was some perceived unresponsiveness or delay to the Committee's request for image files sequestered from Dr. Wang's office and laboratory computers. The University has investigated whether there was in fact unresponsiveness or delay in the provision of image files sequestered by Dr. Wang's computer that may have undermined the Committee's investigation. Further, the University has investigated if all relevant files sequestered from Dr. Wang's computers were provided to the Committee and with determining if any University policy was violated in connection with this protocol. As a result of its investigation, the University has determined that Dr. Wang's files were secured shortly after the beginning of the investigation into Dr. Wang, although this process was delayed and should be improved in the future. While the Committee speculated that they did not have access to all image files that were present in Dr. Wang's lab, the investigation found no evidence to support this. To the contrary, Dr. Wang consistently reported that he did not maintain original research data in hard copy files, electronic images, or lab notebooks. Nevertheless, CUNY has reviewed its policies regarding sequestration of evidence related to a research misconduct investigation, and has developed additional resources and processes to ensure that best practices are followed when sequestering evidence.

2. From ORI letter dated February 2, 2024: Provide the investigation committee's analysis of the questioned images that were examined in the investigation.

The University provided the Final Report to ORI. Following its investigation, the University has determined that the Final Report describes the Committee's analysis of the images that were examined in the Research Misconduct Investigation and the Committee's findings related to each allegation of research misconduct identified in the investigation.

However, in reviewing the image files, the Committee may have misunderstood the relevant evidentiary standard. The Committee noted that certain images were suspicious and "highly suggestive of deliberate scientific misconduct." The Committee seemed to believe that definitive evidentiary proof of fabrication or falsification was required for a finding of research misconduct. This requirement may have surpassed what is required by a preponderance of the evidence standard. To address this issue, CUNY will ensure that future committees receive more robust training on the applicable evidentiary standard and access to counsel's office, as necessary.

3. From ORI letter dated February 2, 2024: Per § 93.313(f), for each separate allegation of research misconduct identified in the investigation, CUNY is required to provide a finding of whether research misconduct did or did not occur.

The Committee attempted to obtain original data records from Dr. Wang to determine if the artifacts or anomalies identified in images and figures could constitute potential falsification and/or fabrication, as advised in a letter from ORI dated September 13, 2021. Because Dr. Wang was unable to provide original data records for any of these allegations, the Committee believed it could not arrive at an objective conclusion regarding whether Dr. Wang falsified and/or fabricated data. While the lack of preservation of research records represents a significant departure from accepted practices of the scientific community, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication and made this determination based on its understanding of the preponderance of evidence standard.

In conducting its review of the Committee's analysis, the University concluded that the Committee may have applied a heightened evidentiary standard in reaching this determination. As described above, the University has taken steps to ensure that future committee members receive appropriate training on the applicable standard of evidence prior to conducting their investigation. However, while the Committee may have applied a heightened standard of evidence, the Committee's work concluded in May 2023, and the University does not believe that it should disturb or reevaluate those findings, as it was undertaken in good faith and was not compromised by any unauthorized disclosures. Therefore, for each of the following allegations of research misconduct, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- **Allegation 1:** Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 4A, S2A and S7 by duplicating, cutting and pasting,

or altering the plots in Figure 4, and Supplementary Figures 2, S3 and S7 in the following publication: Banerjee A, Wang HY, Borgmann-Winter KE, MacDonald ML, Kaprielian H, Stucky A, Kvasic J, Egbujo C, Ray R, Talbot K, Hemby SE, Siegel SJ, Arnold SE, Sleiman P, Chang X, Hakonarson H, Gur RE, Hahn CG. Src kinase as a mediator of convergent molecular abnormalities leading to NMDAR hypoactivity in schizophrenia. Mol. Psychiatry 2015; 20(9):1091-100.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 2: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 4D and 4E by duplicating, cutting and pasting, or altering the plots in the following publication: Talbot K, Wang HY, Kazi H, Han LY, Bakshi KP, Stucky A, Fuino RL, Kawaguchi KR, Samoyedny AJ, Wilson RS, Arvanitakis Z, Schneider JA, Wolf BA, Bennett DA, Trojanowski JQ, Arnold SE. Demonstrated brain insulin resistance in Alzheimer's disease patients is associated with IGF-1 resistance, IRS-1 dysregulation, and cognitive decline. J Clin Invest. 2012 Apr;122(4):1316-38.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 3: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 5A and 6 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Capuano AW, Khan A, Pei Z, Lee KC, Bennett DA, Ahima RS, Arnold SE, Arvanitakis Z. Insulin and adipokine signaling and their cross-regulation in postmortem human brain. Neurobiol Aging 2019; 84: 119-130

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the

Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 4: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 3 (right panel), 8B, 10A and 12 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Lee KC, Pei Z, Khan A, Bakshi K, Burns LH. PTI-125 binds and reverses an altered conformation of filamin A to reduce Alzheimer's disease pathogenesis. *Neurobiol Aging* 2017; 55: 99-114.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 5: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 8A, 8E and 9A by duplicating, cutting and pasting, or altering the plots in the following publication: Meade GM, Charron LS, Kilburn LW, Pei Z, Wang HY, Robinson S. A model of negative emotional contagion between male-female rat dyads: Effects of voluntary exercise on stress-induced behavior and BDNF-TrkB signaling. *Physiol Behav*.2021 May 15; 234:113286

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 6: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 9A by duplicating, cutting and pasting, or altering the plots in the following publication: Wang S, Li B, Solomon V, Fonteh A, Rapoport

SI, Bennett DA, Arvanitakis Z, Chui HC, Miller C, Sullivan PM, Wang HY, Yassine HN. Calcium-dependent cytosolic phospholipase A2 activation is implicated in neuroinflammation and oxidative stress associated with ApoE4. *Mol Neurodegener.* 2021;16(1): 26

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 7: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 3A by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Pei Z, Lee KC, Lopez-Brignoni E, Nikolov B, Crowley CA, Marsman MR, Barbier R, Friedmann N, Burns LH. PTI-125 Reduces Biomarkers of Alzheimer's Disease in Patients. *J Prev Alzheimers Dis.* 2020; 7(4): 256-264.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 8: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 5B and 10A by duplicating, cutting and pasting, or altering the plots in the following publication: Stucky A, Bakshi KP, Friedman E, Wang HY. Prenatal Cocaine Exposure Upregulates BDNF-TrkB Signaling. *PLoS One* 2016 Aug 5;11(8):e0160585.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the

University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 9: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 4 and 5 by duplicating, cutting and pasting, or altering the plots in the following poster presentation: Wang HY, Pei Z, Xu Q, Brunelle L, Burns L, Thornton GB. SavaDx, a novel plasma biomarker to detect Alzheimer's disease, confirms mechanism of action of simufilam. Poster presented at: Alzheimer's Association International Conference (AAIC) July 31-August 4, 2021. San Diego, USA.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 10: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 2, 4A and Supplementary Figure 2 by duplicating, cutting and pasting, or altering the plots in the following publication: Chang-Gyu Hahn, Hoau-Yan Wang, Dan-Sung Cho, Konrad Talbot, Raquel E Gur, Wade H Berrettini, Kalindi Bakshi, Joshua Kamins, Karin E Borgmann-Winter, Steven J Siegel, Robert J Gallop & Steven E Arnold. Altered neuregulin 1–erbB4 signaling contributes to NMDA> receptor hypofunction in schizophrenia. *Nature Medicine* 2006; 12, 824–828.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 11: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Supplementary Figure 2 by duplicating, cutting and pasting, or altering the plots in the same publication listed in the following publication: Chang-Gyu Hahn, Hoau-Yan Wang, Dan-Sung Cho, Konrad Talbot, Raquel E Gur, Wade H Berrettini, Kalindi Bakshi, Joshua Kamins, Karin E Borgmann-

Winter, Steven J Siegel, Robert J Gallop & Steven E Arnold. Altered neuregulin 1–erbB4 signaling contributes to NMDA $>$ receptor hypofunction in schizophrenia. *Nature Medicine* 2006; 12, 824–828.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 12: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 3 and 5 by duplicating, cutting and pasting, or altering the plots in the following publication: Hoau-Yan Wang, Mathew L. MacDonald, Karin E. Borgmann-Winter, Anamika Banerjee, Patrick Sleiman, Andrew Tom, Amber Khan, Kuo-Chieh Lee, Panos Roussos, Steven J. Siegel, Scott E. Hemby, Warren B. Bilker, Raquel E. Gur & Chang-Gyu Hahn. mGluR5 hypofunction is integral to glutamatergic dysregulation in schizophrenia. *Molecular Psychiatry* 2020;25:750–760

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 13: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures a and c by duplicating, cutting and pasting, or altering the plots in the following publication: Hoau-Yan Wang, Andres Stucky, Chang-Gyu Hahn, Robert Wilson, David Bennett and Steven Arnold. BDNF-trkB signaling in late life cognitive decline and Alzheimer's disease. *Translational Neuroscience* 2011(2), 91-100.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the

Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 14: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 1 and c by duplicating, cutting and pasting, or altering the plots in the following publication: Konrad Talbot, Hoau-Yan Wang, Hala Kazi, Li-Ying Han,1 Kalindi P. Bakshi, Andres Stucky, Robert L. Fuino, Krista R. Kawaguchi, Andrew J. Samoyedny, Robert S. Wilson, Zoe Arvanitakis, Julie A. Schneider, Bryan A. Wolf, David A. Bennett, John Q. Trojanowski, and Steven E. Arnold. Demonstrated brain insulin resistance in Alzheimer's disease patients is associated with IGF-1 resistance, IRS-1 dysregulation, and cognitive decline. *J Clin Invest* 2012; 122(4):1316-1338.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 15: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 6 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Capuano AW, Khan A, Pei Z, Lee KC, Bennett DA, Ahima RS, Arnold SE, Arvanitakis Z. Insulin and adipokine signaling and their cross-regulation in postmortem human brain. *Neurobiol Aging* 2019;84:119-130.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 16: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in numerous figures by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Li W, Benedetti NJ, Lee

DH. Alpha 7 nicotinic acetylcholine receptors mediate beta-amyloid peptide-induced tau protein phosphorylation. *J Biol Chem.* 2003 Aug 22;278(34):31547-53

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 17: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in figures by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Burns LH. Gbetagamma that interacts with adenylyl cyclase in opioid tolerance originates from a Gs protein. *J Neurobiol.* 2006 Oct;66(12):1302-10.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in July 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its July 2023 Report.

- Allegation 18: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in figures by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Frankfurt M, Burns LH. High-affinity naloxone binding to filamin a prevents mu opioid receptor-Gs coupling underlying opioid tolerance and dependence. *PLOS ONE.* 2008 Feb 6;3(2):e1554.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the

conclusions reached by the Committee in its Final Report.

- Allegation 19: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in figures by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Burns LH. Naloxone's pentapeptide binding site on filamin A blocks Mu opioid receptor-Gs coupling and CREB activation of acute morphine. PLoS One. 2009;4(1):e4282.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 20: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 1 and 5 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Stucky A, Liu J, Shen C, Trocmé-Thibierge C, Morain P. Dissociating beta-amyloid from alpha 7 nicotinic acetylcholine receptor by a novel therapeutic agent, S 24795, normalizes alpha 7 nicotinic acetylcholine and NMDA receptor function in Alzheimer's disease brain. J Neurosci. 2009 Sep 2;29(35):10961-73.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 21: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 1 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Bakshi K, Shen C, Frankfurt M, Trocmé-Thibierge C, Morain P. S 24795 limits beta-amyloid-alpha7 nicotinic receptor interaction and reduces Alzheimer's disease-like pathologies. Biol Psychiatry. 2010 Mar 15;67(6):522-30.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the

Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 22: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 2, 5 and 9 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Bakshi K, Frankfurt M, Stucky A, Goberdhan M, Shah SM, Burns LH. Reducing amyloid-related Alzheimer's disease pathogenesis by a small molecule targeting filamin A. *J Neurosci*. 2012 Jul 18;32(29):9773-84.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 23: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 9 and 11 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Lee KC, Pei Z, Khan A, Bakshi K, Burns LH. PTI-125 binds and reverses an altered conformation of filamin A to reduce Alzheimer's disease pathogenesis. *Neurobiol Aging* 2017;55:99-114.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 24: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 5 by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Lee KC, Pei Z, Khan A, Bakshi K,

Burns LH. PTI-125 binds and reverses an altered conformation of filamin A to reduce Alzheimer's disease pathogenesis. *Neurobiol Aging* 2017;55:99-114.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 25: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data figures by duplicating, cutting and pasting, or altering the plots allegation in the following publication: H.-Y. Wang, Z. Pei, K.-C. Lee, E. Lopez-Brignoni, B. Nikolov, C. A. Crowley, M. R. Marsman, R. Barbier, N. Friedmann & Lindsay H. Burns. PTI-125 Reduces Biomarkers of Alzheimer's Disease in Patients. *The Journal of Prevention of Alzheimer's Disease* 2020;7:256–264.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 26: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data figures by duplicating, cutting and pasting, or altering the plots in the following publication: Robinson S, Mogul AS, Taylor-Yeremeeva EM, Khan A, Tirabassi AD, Wang HY. Stress Diminishes BDNF-stimulated TrkB Signaling, TrkB-NMDA Receptor Linkage and Neuronal Activity in the Rat Brain. *Neuroscience*. 2021 Jul 21:S0306-4522(21)00358-4.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the

conclusions reached by the Committee in its Final Report.

- Allegation 27: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 4, 5, 5a and 6 by duplicating, cutting and pasting, or altering the plots in the following publication:Stucky A, Bakshi KP, Friedman E, Wang HY. Prenatal Cocaine Exposure Upregulates BDNF-TrkB Signaling. *PLoS One* 2016 Aug 5;11(8):e0160585.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 28: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figure 6 by duplicating, cutting and pasting, or altering the plots in the following publication:Wang HY, Li W, Benedetti NJ, Lee DH. Alpha 7 nicotinic acetylcholine receptors mediate beta-amyloid peptide-induced tau protein phosphorylation. *J Biol Chem.* 2003 Aug 22;278(34):31547-53

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- Allegation 29: Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data Figures 5a and 12a by duplicating, cutting and pasting, or altering the plots in the following publication:Wang HY, Friedman E, Olmstead MC, and Burns LH. Ultra-low-dose naloxone suppresses opioid tolerance, dependence and associated changes in mu opioid receptor-G protein coupling and Gbetagamma signaling *Neuroscience* 2005;135:247–261

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied

a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- **Allegation 30:** Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data Figure 7a by duplicating, cutting and pasting, or altering the plots in the following publication: Wang H-Y, Burns LH. Naloxone's Pentapeptide Binding Site on Filamin A Blocks Mu Opioid Receptor–Gs Coupling and CREB Activation of Acute Morphine. PLoS ONE 2009 4(1): e4282.

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

- **Allegation 31:** Dr. Wang falsified and/or fabricated western blot data and plots of clinical trial data in Figures 6 and 10b by duplicating, cutting and pasting, or altering the plots in the following publication: Wang HY, Lee KC, Pei Z, Khan A, Bakshi K, Burns LH. PTI-125 binds and reverses an altered conformation of filamin A to reduce Alzheimer's disease pathogenesis. *Neurobiol Aging* 2017;55:99-114

Finding: The lack of preservation of research records represents a significant departure from accepted practices of the scientific community. However, the Committee did not find that Dr. Wang's actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication, although it may have applied a heightened standard of evidence in reaching this conclusion. However, since the Committee concluded its investigation in May 2023, the University does not believe that it should disturb or reevaluate those findings. Therefore, the University has determined that research misconduct did not occur based on the conclusions reached by the Committee in its Final Report.

4. From ORI letter dated February 2, 2024: State whether CUNY accepts the investigation's findings and describe any completed, pending, or planned administrative actions against Dr. Wang in accordance with § 93.315(c) and § 93.315(d).

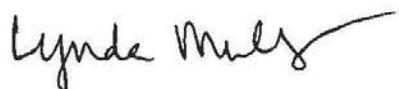
The University has concluded its review of the Final Report and related materials. While the lack of preservation of research records represents a significant departure from accepted practices of the scientific community, the Committee did not find that Dr. Wang's

actions constitute acts of intentional, knowing, or reckless falsification and/or fabrication and made this determination based on its understanding of the preponderance of evidence standard. In conducting its review of the Committee's analysis, the University concluded that the Committee may have applied a heightened evidentiary standard. As described above, the University has taken steps to ensure that future committees will receive guidance on the applicable standard of evidence. However, while the Committee may have applied a heightened standard of evidence, the Committee's work was conducted in good faith and concluded in May 2023, and the University does not believe that it should disturb or reevaluate those findings. The University has therefore accepted the Committee's findings and determined that research misconduct did not occur.

The University's Policy Regarding the Disposition of Allegations of Research Misconduct authorizes disciplinary actions as a result of a finding of research misconduct. Because the Research Misconduct Investigation has not resulted in a finding of research misconduct, no administrative actions against Dr. Wang are completed, pending, or planned. Moreover, Dr. Wang has announced his retirement from the University effective July 2025. As a result, he will no longer conduct research at CUNY.

The University is committed to research integrity, to fostering an environment that promotes the responsible conduct of research, and to compliance with all applicable laws and regulations governing such research and the receipt and stewardship of federal funds. The University's retention and engagement of Foley Hoag, LLP to investigate the foregoing Research Misconduct Investigation demonstrated the University's commitment to getting at the bottom of the alleged research misconduct and to providing full and complete transparency with respect to the alleged research misconduct and the related investigation. As described above, the University is committed to taking steps to address the issues it has identified with the investigation and findings regarding Dr. Wang's alleged misconduct. I am available to answer any questions you may have or to discuss any portion of this response further.

Sincerely,



Lynda Mules

Cc: Felix Matos Rodriguez, Chancellor
Alicia Alvero, Interim Executive Vice Chancellor and Provost
Derek Davis, Senior Vice Chancellor for Legal Affairs and General Counsel